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An ACT for Impowering the Parish Officers of the Town of Wakefield, in the County of York, to assess One Moiety of the Profits of the Navigation of the Rivers Aire and Calder to the parochial Rates and Levies of that Town.



Whereas by virtue and in pursuance of an Act of Parliament, made and passed in the Tenth and Eleventh Years of the Reign of his late Majesty King *William* the Third, the Rivers *Aire* and *Calder*, in the County of *York*, were made navigable from a Place called *Weeland*, situate upon the River *Aire*, up to the Towns of *Leeds* and *Wakefield*, in the West Riding of the County of *York*: And the Undertakers of the said Navigation, their Heirs and Assigns, were thereby authorized and empowered to take and receive

several Rates, Tolls and Duties for the Goods, Wares, Merchandizes or Commodities that should be carried or conveyed in any Boat, Barge or Vessel, up and down the said Rivers, within the Limits of the said Navigation:

And whereas the Profits of the said Navigation arising from the Rates, Tolls and Duties afore-mentioned, have from time to time been leased and let to farm by the Undertakers and Proprietors of the said Navigation for the Time being, to several Farmers and Lessees at several yearly Rents; and the said Rents have, upon every new Lease that hath been granted of the Premises for a great Number of Years last past, been constantly improved and augmented:

And whereas the said Profits of the said Navigation have, by all the Acts of Parliament made and passed for Years last past, for granting an Aid to his Majesty and his Royal Predecessors by a Land Tax, been directed and appointed to be assessed and paid, one Moiety thereof at the Town of *Wakefield*, and the other Moiety thereof at the Town of *Leeds*, and

and not elsewhere; and the said Assessments to the Land Tax have been made, levied and collected accordingly:

And whereas the principal Wharfs and Warehouses of and belonging to the said Navigation are situate and being in the Towns of *Wakefield* and *Leeds*; and the greatest Part of the Profits of the said Navigation arises by the Tolls and Duties payable for Goods and Merchandizes conveyed on the said Rivers to and from the Towns of *Wakefield* and *Leeds* respectively; and the Profits of the said Navigation have, for a great Number of Years last past, been rated and assessed by the parochial Officers of the Towns of *Wakefield* and *Leeds* respectively, to the Relief of the Poor and other parochial Rates and Duties of the said Towns respectively, and not elsewhere, in Conformity to the said several Acts for raising the Land Tax, by or to which Tax the parochial Assessments in the said Towns respectively are in a great measure governed and referred:

And whereas Disputes have lately arisen between the Farmers of the said Navigation and the parochial Officers of the Town of *Wakefield*, relating to the Taxation of the Profits of the said Navigation: And the said Farmers having refused to pay a Rate assessed upon the said Profits towards Relief of the Poor of the said Town, although the same was confirmed upon an Appeal to the General Quarter Sessions of Peace held at *Pontefract* for the West Riding of the said County of *York*, a Distress was made upon the said Farmers for the same, who brought an Action of Replevin, which is still depending, and remains undetermined:

And whereas, in regard the Navigation on the said River from *Wakefield* to *Weeland* extends above Twenty Miles in Length, and there are several Towns and Parishes adjoining and contiguous to the said River, and within the Limits of the said Navigation, wherein several Locks and Toll-houses are erected, where Part of the Profits and Duties of the said Navigation are or may be taken and collected, it may be doubtful whether some Part of such parochial Rates or Assessments may not legally be assessed and levied in the said other Towns and Parishes so adjoining and contiguous to the said River as aforesaid:

Wherefore for obviating and removing the said Doubts, and preventing all Disputes and Controversies concerning the Premises for the future,

May it please Your Most Excellent MAJESTY,

That it may be Enacted; **And be it Enacted**, by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That of the Profits of the said Navigation of the Rivers *Aire* and *Calder* shall from and after the

towards the Relief of the Poor and other parochial Rates, Levies and Assessments of the said Town, and not elsewhere: And that the

for the Time being, shall and may, and they are by this present Act authorized and impowered to

of the Profits of the said Navigation, for and towards the Relief of the Poor, and



and other the parochial Rates, Levies, Duties and Assessments assessed, raised, levied and collected in the said Town,

and that the said Churchwardens and Overseers of the Town of *Wakefield*, for the Time being, shall have such and the same Remedies and Powers for levying and recovering the Rates, Levies and Assessments, which shall be upon the Profits of the said Navigation by virtue and in pursuance of this Act, as they can or may, or could or might have for the other parochial Rates, Duties and Assessments of the like nature, within the said Town of *Wakefield*, by force and virtue of the Laws now in being.

Provided always, and it is hereby Enacted and Declared, That in case the Inhabitants of any of the several Towns and Parishes, which adjoin and lie contiguous to the said River within the Limits of the said Navigation, shall at any time hereafter desire any Regulation or Relief in respect of the said Assessment to be made in pursuance of this Act; and shall for that Purpose appeal or apply to the General Quarter Sessions of the Peace to be held for the West Riding of the County of *York*; and shall give or leave Notice in Writing to the Churchwardens and Overseers of the Poor of the said Town of *Wakefield* for the Time being, or any one of them, and also to the Farmers and Lessees of the Profits of the said Navigation, or any one of them, of such their Intention to appeal or apply as aforesaid, at least Days before such General Quarter Sessions; then and in such Case it shall and may be lawful to and for the Justices of the Peace assembled at the said General Quarter Sessions, or the major Part of them, to hear and examine into the Cause and Matter of such Appeal or Application; and to administer an Oath or Oaths to such Person or Persons as they shall think necessary to be examined, concerning the *Quantum* or Amount of the Profits of the said Navigation arising and received in any of the Towns and Parishes adjoining and contiguous to the said River, within the Limits of the said Navigation, other than the said Town of *Wakefield*, or concerning any other Matter in question relating to the said Appeal or Application; and in case, upon such Hearing and Examination, it shall appear reasonable to the said Justices so assembled, or the major Part of them, that any Share or Proportion of the Profits of the said Navigation should be rated and assessed in or towards the parochial Rates, Duties and Assessments of any such other Town or Parish within the Limits of the said Navigation; then and in such Case, it shall and may be lawful to and for the said Justices assembled at the said General Quarter Sessions, or the major Part of them, to settle, ascertain and determine what Share or Proportion of the Sum of Money so upon the Profits of the said Navigation, by the parochial Officers of the Town of *Wakefield* in pursuance of this Act, shall be in any of the said other Towns and Parishes within the Limits of the said Navigation as aforesaid, whereof the Inhabitants shall appeal or apply to the General Quarter Sessions as aforesaid.

And

And it is hereby further Enacted and Declared, That such Share or Proportion of the said parochial Assessments so to be settled, ascertained and determined, shall continue to be in the respective Towns and Parishes where the same shall be ordered and directed at the Quarter Sessions to be as aforesaid, until the same shall be altered, repealed or otherwise ordered and directed by the Justices of the Peace for the said West Riding at another General Quarter Sessions of the Peace assembled, or the major Part of them, upon any new Appeal or Application with such Notice as aforesaid, either from the Inhabitants of the Town of *Wakefield*, or the Inhabitants of any other Town or Parish within the Limits of the said Navigation.

And it is hereby further Enacted and Declared, That

upon the said Moiety of the Profits of the said Navigation, shall from time to time, and at all times hereafter, (except at such times and in such Cases, where it shall be otherwise ordered and directed at the General Quarter Sessions by virtue and in pursuance of this present Act) be in the Town of *Wakefield*, towards the Relief of the Poor, and other parochial Rates, Levies and Assessments of the said Town; any Law, Statute, Custom or Usage to the contrary notwithstanding.

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